

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5015 PCB APC 11-06 Office of Drug Control

SPONSOR(S): Appropriations Committee, Grimsley

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Appropriations Committee	15 Y, 6 N	Kramer	Leznoff

SUMMARY ANALYSIS

This PCB eliminates the Office of Drug Control (ODC) within the Executive Office of the Governor. The PCB makes necessary conforming changes to Florida Statutes to implement the repeal of the ODC. The Statewide Office of Suicide Prevention is moved to Department of Children and Family Services, and receives ODC's suicide-related functions. ODC roles on various task forces, work groups, and councils are eliminated or assigned to other entities.

The bill conforms to the House proposed General Appropriations Act for Fiscal Year 2011-2012 which eliminates 7 FTEs and \$581,743 in General Revenue from the Executive Office of the Governor. The proposed budget also transfers \$439,062 in Federal Grants to the Department of Business Regulation relating to enforcing underage drinking laws.

The bill has an effective date of July 1, 2011.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Office of Drug Control

Section 397.332, F.S., created the Office of Drug Control within the Executive Office of the Governor (EOG) in 1999.¹ The Governor is required to appoint a director of the Office of Drug Control (ODC), who is subject to confirmation by the Florida Senate. The purpose of the Office of Drug Control is to work, in collaboration with the Office of Planning and Budgeting (OPB), to:

- Coordinate drug control efforts and enlist the assistance of the public and private sectors in those efforts, including, but not limited to, federal, state, and local agencies.
- Provide information to the public about the problem of substance abuse and the substance abuse programs and services that are available.
- Act as the Governor's liaison with state agencies, other state governments, the federal Office of National Drug Control Policy, federal agencies, and with the public and private sectors on matters that relate to substance abuse.
- Work to secure funding and other support for the state's drug control efforts, including, but not limited to, establishing cooperative relationships among state and private agencies.
- Develop a strategic program and funding initiative that links the separate jurisdictional activities of state agencies with respect to drug control. The office may designate lead and contributing agencies to develop such initiatives.
- Advise the Governor and the Legislature on substance abuse trends in this state, the status of current substance abuse programs and services, the funding of those programs and services, and the status of the Office of Drug Control in developing and implementing the state drug control strategy.
- Make recommendations to the Governor on measures that the director considers advisable for the effective implementation of the state drug control strategy.

The ODC participates in various statutory task forces, councils, and work groups:²

- Drug Policy Advisory Council (1999)
- Seaport Security Standards Advisory Council (2000)
- Violent Crime and Drug Control Council (2000)
- Drug Free Workplace Advisory Panel (2004)
- Florida Alliance for Drug Endangered Children (2005)
- Methamphetamine Work Group (2005)
- Governor's State Leadership Task Force on Reducing Underage Drinking (2005)
- State Epidemiology Work Group (2005)
- Gender-Specific Substance Abuse Services Workgroup (2006)
- Suicide Prevention Coordinating Council (2007)
- Drug Paraphernalia Abatement Task Force (2007)
- Remediation of Illicit Drug Labs Task Force (2007)
- Attorney General's Gang Reduction Executive Workgroup (2007)
- Prescription Drug Monitoring Program (PDMP) Implementation and Oversight Task Force (2009)

¹ Ch. 99-187, s. 2, Laws of Fla. (1999). According to the session law creating the office

The intent of the Legislature [was] to establish and institutionalize a rational process for long-range planning, information gathering, strategic decisionmaking, and funding for the purpose of limiting substance abuse. The Legislature finds that the creation of a state Office of Drug Control and a Statewide Drug Policy Advisory Council affords the best means of establishing and institutionalizing such a process."

² The Director of the Office of Drug Control chairs the Drug Policy Advisory Council, Seaport Security Standards Advisory Council, the 28-member Suicide Prevention Coordinating Council and the Prescription Drug Monitoring Program Oversight and Implementation Task Force.

The Statewide Office for Suicide Prevention

Section 14.2019, F.S., creates the Statewide Office of Suicide Prevention (Office) as a unit of the ODC. Its statutory mission is to reduce the suicide rate in Florida. The Office produces a Suicide Prevention Strategy to provide a framework for activities to reduce Florida's suicide rate.³ The goals of the Strategy are to:

- Promote awareness that suicide is a preventable public health problem.
- Reduce the stigma associated with being a consumer of mental health, substance abuse and suicide prevention services.
- Create collaborations and networks that support common goals in suicide prevention.
- Develop and implement evidence-based suicide prevention, intervention and 'postvention' programs.
- Develop and promote clinical and professional practices for delivery of effective treatment.
- Improve community access to mental health and substance abuse services.
- Reduce access to lethal means and methods of self-harm.
- Support suicide prevention research and improve surveillance systems.

The Office of Suicide Prevention also oversees the Suicide Prevention Coordinating Council, a 28-member council appointed by the Executive Office of the Governor.

Effect of bill:

The PCB repeals s. 397.332, F.S., eliminating the ODC. The PCB makes necessary conforming changes to Florida Statutes to implement the repeal of the ODC. The Statewide Office of Suicide Prevention is moved to Department of Children and Family Services, and receives ODC's suicide-related functions.

ODC roles on various task forces, work groups, and councils are eliminated or assigned to other entities. Specifically, ODC's role relating to seaport security is eliminated; the Seaport Security Standards Advisory Council will be housed in the Executive Office of the Governor; the Department of Health will staff the Statewide Drug Policy Advisory Council and a staff person from the Governor's Office of Planning and Budgeting will become a member of the Florida Violent Crime and Drug Control Council.

B. SECTION DIRECTORY:

Section 1. Amends s. 14.2019, F.S., relating to the statewide office for suicide prevention.

Section 2. Amends s. 14.20195, F.S., relating to the Suicide Prevention Coordinating Council; membership; duties.

Section 3. Amends s. 311.115, F.S., relating to the Seaport Security Standards Advisory Council.

Section 4. Amends s. 311.12, F.S., relating to seaport standards.

Section 5. Amends s. 311.123, F.S., relating to maritime domain security awareness training program.

Section 6. Amends s. 397.331, F.S., relating to definitions; legislative intent.

Section 7. Repeals s. 397.332, F.S., relating to the Office of Drug Control.

Section 8. Amends s. 397.333, F.S., relating to the Statewide Drug Policy Advisory Council.

³ Statewide Office of Suicide Prevention, Suicide Prevention Strategy 2011-2015, *available at* <http://www.helppromotehope.com/strategy/index.php> (last viewed March 12, 2011).

Section 9. Amends s. 943.031, F.S., relating to the Florida Violent Crime and Drug Control Council.

Section 10. Amends s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account.

Section 11. Provides effective date of July 1, 2011.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None

2. Expenditures:

The House proposed General Appropriations Act for Fiscal Year 2011-2012 eliminates 7 FTEs and \$581,743 in General Revenue from the Executive Office of the Governor. The proposed budget also transfers \$439,062 in Federal Grants to the Department of Business Regulation relating to enforcing underage drinking laws.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None

2. Expenditures: None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal government.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES